



## *Report to the Auburn City Council*

Action Item	4
Agenda Item No	
City Manager Approval	

**To:** Mayor and City Council Members  
**From:** Robert Richardson, City Manager  
**Prepared by:** Anne M. Cooley, Deputy/Assistant City Clerk  
**Date:** March 9, 2009  
**Subject:** Hearing Authority Appointments

### **The Issue**

Shall the Council approve the designees of the City Manager to act as Hearing Authority officers?

### **Conclusion and Recommendation**

Staff recommends that by **RESOLUTION** the City Council approve Police Captain John Ruffcorn and Police Chief Valerie Harris to act as Hearing Authority Officers.

### **Background**

Individuals who receive an Administrative Citation by an Enforcement Officer have the right to the appeal process. After a Preliminary Review, wherein the citation was upheld, the appellant may request an Administrative Hearing. Hearings are conducted by a Hearing Authority officer. The Auburn Municipal Code Section 95.26 states that the Hearing Authority is the City Manager or "other designee of the City Manager approved by the City Council." Due to the responsibilities and work schedule of the City Manager, it would be advisable to have alternate Hearing Authority Officers in order to provide an appellant with a more flexible and timely hearing date. Therefore, it is recommended that Chief Harris and Captain Ruffcorn act as those officers.

### **Alternatives Available to Council:**

1. Appoint Chief Harris and Captain Ruffcorn as Hearing Authority Officers;
2. Take no action

### **Fiscal Impact**

None.

1 RESOLUTION NO. 09-

2 HEARING AUTHORITY OFFICER APPOINTMENTS  
3 -----

4  
5 THE CITY COUNCIL OF THE CITY OF AUBURN DOES HEREBY RESOLVE:

6  
7 That the City Council of the City of Auburn does hereby approve the  
8 appointments of Police Chief Valerie Harris and Police Captain John Ruffcorn as  
9 Hearing Authority Officers.

10  
11  
12 DATED: March 9, 2009

13  
14 J. M. Holmes, Mayor

15 ATTEST:

16 Joseph G. R. Labrie, City Clerk

17  
18 I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify  
19 that the foregoing resolution was duly passed at a regular meeting of the City  
20 Council of the City of Auburn held on the 9<sup>th</sup> day of March 2009 by the  
21 following vote on roll call:

22 Ayes:

23 Noes:

24 Absent:

25 Joseph G. R. Labrie, City Clerk